



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/771,009	01/25/2001	Steven P. Holzberg	00801.0172.00US00

27194
HOWREY SIMON ARNOLD & WHITE, LLP
BOX 34
301 RAVENSWOOD AVE.
MENLO PARK, CA 94025

CONFIRMATION NO. 6352

FORMALITIES LETTER



OC000000006115525

Date Mailed: 05/24/2001

Adjustment date: 11/15/2001 EEKUBAY1
07/30/2001 AZERGAW1 00000083 09771009
01 FC:101 -710.00 OP
02 FC:103 -882.00 OP
03 FC:102 -880.00 OP
04 FC:105 -135.00 OP
05 FC:104 -270.00 OP

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/15/2001 EEKUBAY1 00000001 09771009

FILED UNDER 37 CFR 1.53(b)

01 FC:201 355.00 OP
02 FC:203 441.00 OP
03 FC:202 440.00 OP
04 FC:204 135.00 OP
05 FC:205 65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2228.
 - \$918 for 51 total claims over 20.
 - \$1040 for 13 independent claims over 3.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3068.

Repln. Ref: 11/15/2001 EEKUBAY1 0010042000
DA:083038, Name/Number:09771009
FC: 704 \$1436.00 CRA copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09771009
08/30/2001 YGIZAW 00000002 083038
01 FC:102 150.00 CH
02 FC:103 36.00 CH
01 FC:101 710.00 OP
02 FC:103 882.00 OP
03 FC:102 880.00 OP
04 FC:105 135.00 OP
05 FC:104 270.00 OP



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$2,872.00

Complete if Known

Application Number	09/771,009
Filing Date	January 25, 2001
First Named Inventor	Steven P. HOLTZBERG
Examiner Name	Not Yet Assigned
Group Art Unit	1642
Attorney Docket No.	00801.0172.00US00

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Acct. No. 08-3038

Deposit Account Name
Howrey Simon Arnold & White, LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$710.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
69	-20** = 49	X 18 =	882
Independent Claims	14	- 3** = 11	X 80 = 880
Multiple Dependent		270	= 270

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$2,032.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee	Entity Fee	Small Fee	Entity Fee	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a)	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b)	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____
* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130.00

SUBMITTED BY

Name (Print/Type) Albert P. Halluin, Robin C. Chiang

Registration No. 25,227, 46,619
(Attorney/Agent)

Complete (if applicable)

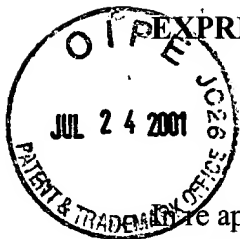
Telephone 650-463-8109

Signature *Albert P. Halluin*

Date July 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on The amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



EXPRESS MAIL NO.: EL615209202US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:
Steven P. HOLZBERG and
Gregory P. POGUE

Appl. No.: 09/771,009

Filed: January 25, 2001

For: **CYTOPLASMIC
INHIBITION OF GENE
EXPRESSION AND EXPRESSION
OF A FOREIGN PROTEIN IN A
MONOCOT PLANT BY A PLANT
VIRAL VECTOR**

Art Unit: 1642

Examiner: Not Yet Assigned

Attorney Docket: 00801.0172.00US00

**Response to Notice to File
Missing Parts of Application**

Commissioner for Patents
Washington, D.C. 20231
ATTN: Box Missing Parts

Sir:

In response to the **Notice to File Missing Parts of Application--Filing Date Granted** dated May 24, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Fee Transmittal;
- ☒ Copy of the Notice to File Missing Parts;
- ☒ Original Declaration, executed by the inventor(s);
- ☒ Return postcard; and
- ☒ Our check for \$2,872.00 to cover:
 - \$710.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)
 - \$2,032.00 Fee for excess claims (37 C.F.R. § 1.16)
 - \$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents.

Commissioner for Patents

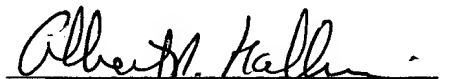
July 24, 2001

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 00801.0172.00US00. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 00801.0172.00US00. A duplicate copy of this Response is enclosed.

Respectfully submitted,

Date: July 24, 2001


Albert P. Halluin (Reg. No. 25,227)
Robin C. Chiang (Reg. No. 46,619)

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